

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE: DUPUY ORTHOPAEDICS, INC.
JOHNSON & JOHNSON SERVICES, INC.,
PINNACLE HIP IMPLANT PRODUCT
LIABILITY LITIGATION

Civil Action No.: 3:11-MD-2244-K

HONORABLE ED KINKEADE

This Document Relates To:
Edward J. Miller

MOTION TO WITHDRAW AS ATTORNEY OF RECORD WITOUT SUBSTITUTION FOR
PLAINTIFF EDWARD MILLER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, James R. Moriarty, Movant, pursuant to Rule 74 of the Federal Rules of Civil Procedure, and moves this Honorable Court to allow James R. Moriarty to withdraw as attorney of record for Plaintiff Edward J. Miller and for an Order permitting Withdrawal as Attorney, allowing Plaintiff ninety (90) days to find alternative counsel, and would respectfully show unto the Court and in support therefore state as follows:

I.

Plaintiff has ignored the advice of counsel. Movant cannot continue to represent Plaintiff whom has expressed dissatisfaction of Movant's legal representation on his case, and has threatened to sue Movant.

Plaintiff has refused to signed this Motion to Withdraw as Attorney of Record, allowing counsel to withdraw, although he has repeatedly expressed dissatisfaction with the outcome of his case.

II.

Plaintiff has refused to adhere to the advice and recommendations of Movant on the matters in which Plaintiff hired James R. Moriarty to represent him. Plaintiff has unrealistic expectations with regards to his claim and he has been calling and harassing Defendant Johnson & Johnson, directly. It is imperative that Plaintiff be in agreement with Plaintiff's attorney.

III.

A copy of this motion has been delivered to Plaintiff notifying him of his right to object. The notification is further evidence by the letter to the client.

IV.

The last known address and telephone numbers of Plaintiff is 3005 Paula Avenue South, Lehigh Acres, Florida 33976, (239) 895-4021, or (765) 969-7059.

V.

This motion is sought in good faith and is not made for purposes of delay, but in order that justice may be served.

WHEREFORE, The Movant now prays for an Order permitting Withdrawal as Attorney, allowing Plaintiff ninety (90) days to find alternative counsel to which justices may be served.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing Motion to Withdraw as Attorney has been forwarded to all interested parties involved via electronic service, US mail service, certified mail, fax and/or hand delivered this 19th day of July, 2019.



James R. Moriarty